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APPENDIX V.

[Vide answer to starred question No. 109 asked by Sri Rao Bahadur M. Ramakrishna Reddi on behalf of Sri B. Narayanaswami Nayudu at the meeting of the Legislative Council held on the 14th December 1938, page 200 supra.]

I

Inspector's order—R.O.C. No. 2304/38-*C*-3, *dated* 4*th April* 1938.

[Removal of President—Kapileswarapuram Panchayat Board—Gannavaram taluk—Kistna district—Notice to show cause against—Issued.]

The following defects in the administration of the Kapileswarapuram Panchayat Board by its President M.R.Ry. Tatineni Venkatakrishnayya Garu are brought to the notice of the Inspector:—

(1) Articles worth Rs. 744–8–9 for providing 36 lights in the village were purchased by the board on 12th October 1936 and were handed over to the present President by the ex-President on 18th May 1937. The President did not utilize the articles and allowed them to go to waste to a large extent.

(2) He did not send notices of the meetings held on 5th June 1937, 13th July 1937 and 2nd August 1937 to four members of the opposition, and disqualified them from membership for not attending the said meetings.

(3) He has not convened a meeting of the board since 23rd November 1937 even when requested by the members.

(4) Grass sales were held by him on 27th July 1937 resulting in a bid of Rs. 283. He has not imposed any conditions on the lessees for the payment of the lease amount, nor has he obtained agreements from them. He has still to collect a balance of Rs. 182 of the lease amount, and has not taken any action in the matter.

(5) He deliberately prevented the member selected by the board from attending the Provincial Conference of Panchayats at Madras by not intimating to him the date of the Conference till after the Conference was over.

(6) He has not taken any steps to undertake works of public utility though the board which gets an annual income of Rs. 1,500 has at its credit Rs. 4,700.

2. The Inspector considers that the above defects show that the President of the board has abused his powers and wilfully omitted to perform the duties imposed on him by law. He therefore proposes to remove the President from office under section 43 (1) of the Madras Local Boards Act, 1920.

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3. M.R.Ry. Tatineni Venkatakrishnayya Garu, the President of the Kapileswarapuram Panchayat Board, is hereby called upon to show cause, if any, within fifteen days from the date of receipt of this notice, why he should not be removed. If no reply is received within the prescribed time, further action will be taken on the presumption that he has no cause to show.

II

G.O. Ms. No. 1839, L.A., dated 19th May 1938.

It is brought to the notice of the Government that the administration of the Kapileswarapuram Panchayat Board is at a standstill consequent on the refusal of the majority members of the board to co-operate with the President. Meetings convened by the President are either not attended by the members or adjourned for want of quorum or for other reasons. The budget estimate for 1937–38 has not yet been passed though the year has ended. No works of public utility were undertaken by the board though it gets an annual income of Rs. 1,500 and has at its credit a sum of Rs. 4,700.

2. The Government are of opinion that the Kapileswarapuram Panchayat Board as at present constituted is not competent to perform the duties imposed on it by law, and they accordingly propose to dissolve and reconstitute the panchayat board under section 45 (1) of the Madras Local Boards Act, 1920.

3. Under sub-section (1) (*a*) of section 45 of the Act, the Kapileswarapuram Panchayat Board and the Bezwada District Board are hereby called upon to show cause, if any, within fifteen days from the date of this order, why the Kapileswarapuram Panchayat Board should not be dissolved and reconstituted as proposed. If no replies are received within the prescribed period, further action will be taken on the presumption that they have no cause to show.

4. Explanation should be submitted through the Inspector of Municipal Councils and Local Boards.

(By order of His Excellency the Governor)

L. J. MacIver,
Secretary to Government.

III

Petition to the Secretary to the Government of Madras, Local Administration Department, Fort St. George, Madras.

The representation of the five duly elected members of the Panchayat Board, Kapileswarapuram, Kistna district, respectfully showeth as follows.

1. Rumours are afloat that a notice for supersession under section 45-A (1) of the Madras Local Boards Act, 1920, was issued

to the President, Panchayat Board, Kapileswarapuram, on or about the 4th September 1938. In this connexion we bring to your notice that we heard a fortnight back that notices for the removal of the President for his several acts of omission and commission and for the dissolution and the reconstitution of the said board were issued to the President and the panchayat board, respectively, about four or five months back.

2. We have been duly elected of the panchayat board on 20th November 1936. On 18th May 1937 the present President of the panchayat board was elected. Ever since 18th May 1937 till 2nd August 1937 we learnt that three meetings were held on 5th June 1937, 13th July 1937 and 2nd August 1937. None of us except one Tatineni Ramayya Garu (Vice-President) received any notice for any one of these meetings. We were not given an opportunity to take the oath of allegiance and take part in the deliberations of the meetings. The President wilfully and deliberatively and with a mala fide intention of disqualifying us from membership of the board purposely refrained from sending us any notice of the abovesaid meetings. Realizing the danger that is ahead of us through a notice issued by the President on 2nd August 1937 to all of us except the Vice-President (wherein it is mentioned that our memberships have ceased for failure of attending the required number of meetings), we replied in writing on 9th August 1937 that we had no knowledge at all of the meetings and our membership could not be put an end to so abruptly and so unjustly. In this connexion we beg to submit that we sent reports even prior to 9th August 1937 to the District Panchayat Officer, Bezwada, and to the Inspector of Local Boards and Municipal Councils, Madras, that the President had not been sending notices of the meetings.

3. The District Panchayat Officer, Bezwada, having learnt the truth addressed the President, Panchayat Board, by a letter, dated 24th November 1937, to call for a meeting of the board through registered notices. Having realized that he could not but call for a meeting in view of the letter of the District Panchayat Officer, Bezwada, the President called for a meeting on 30th October 1937 and after the oath of allegiance was taken by four of us and after transacting a little business the meeting came to an end. Another meeting was held on the same day for passing the budget for 1937–38 the President being afraid that all his proposals might not be carried out in toto abruptly adjourned the meeting without assigning any reasons. On 23rd November 1937 another meeting was held wherein most of us raised the objection that we were not furnished the copies of the budget and that we had no occasion to study the budget and requested him to call for a meeting as early as possible to discuss the budget sending us the copies of the budget. Since then till now the President has not called for a meeting deliberately with the sole purpose of prejudicing

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the entire board in the eyes of the higher authorities, in spite of the fact that we have always been ready to pass the budget. These facts clearly and unmistakably prove that the President alone is responsible for all these illegalities and that we were not given opportunities to carry on the administration for the betterment of the village.

4. Another significant factor is that, owing to the laches and wilful neglect of the duties imposed by law on the President we sent a requisition in proper form on 29th April 1938 to call for a meeting. In spite of the fact of having received our requisition on the same day, the President did not call for any meeting. Then on 26th May 1938 we issued notices to other members of the panchayat board requesting them to be present for the meeting to be held on 31st May 1938. As the President closed the office on 31st May 1938 we held the meeting on the pials of the office building and passed certain resolutions.

5. The villagers also having learnt several malpractices practised by the President sent petitions to the District Panchayat Officer, Bezwada, and the Inspector of Local Boards and Municipal Councils, Madras, for investigation of the charges levelled against the President. When the District Panchayat Officer came for enquiry it was conclusively proved that—

(*a*) the President was not sending notices for the meetings to the members who are opposed to him,
(*b*) that he was not calling for the meetings at all,
(*c*) that grass sales were held on 27th July 1937 without imposing any conditions on the bidders, that he has not credited to the panchayat funds the amounts collected from the bidders, that he has misappropriated the said amounts,
(*d*) that he has wilfully prevented a member of the panchayat board to attend the Provincial Conference at Madras in spite of the resolution of the board and in spite of the notice of the meeting of the said conference was served long prior to the date of the conference,
(*e*) that he allowed to waste the lights and other accessories belonging to the board and worth about nearly Rs. 800.

We hear that the District Panchayat Officer after thorough and impartial enquiry sent a report to Government and that in pursuance of the same, the Inspector of Local Boards and Municipal Councils asked the President why he should not be removed from the office of Presidentship.

6. We are unaware of the fact whether the President sent an explanation for the said notice. The details of the explanation, if any, could be quite contrary through the facts on the records of the board. We can even to-day successfully prove to the hilt that the President and the President alone is solely responsible for this state of affairs. The President has absolutely no majority

in the Board. We respectfully submit that we have been in the majority from a very long time. Realizing that his illegal and unauthorized acts of commission and omission would be discussed and exposed and with a view to prepare the ground for supersession the President has been playing all these tricks all along to the detriment of proper working of the board.

7. When the notice for removal of the President was pending we learn that a notice for dissolution and reconstitution of the board was issued. It is but natural and proper that the President should at once call for a meeting and lay the notice on the table. The President with the said purpose of getting the board dissolved or superseded did not call for the meeting. If the President had given us an opportunity to meet and discuss the said notice we would have conclusively shown that there is no ground at all for dissolution and reconstitution of the said board. When we are thus left in the lurch and when we were not given information of the dissolution notice it is but strange and surprising how a notice of supersession could be issued. In the month of May 1938, notice was given for dissolution and reconstitution of the board by the Government. It is passing understanding on what grounds notice of dissolution was issued especially when the President has not called for the meeting and given us an opportunity to discuss the said notice.

8. We beg to submit that we never refused to co-operate with the President. On the other hand we were not wilfully given opportunities at all to co-operate with the President. The facts narrated in the previous paragraphs are clear proof of the same. Though we have been willing and anxious to pass the budget for the year 1937–38, the President has wilfully refrained from calling the meetings. When the President was thus behaving and was thus depriving us of the opportunities to carry on the administration it has not been possible to undertake the works of public utility.

9. From the above facts, it is clear that the President has no majority and with the said purpose of getting the board dissolved or superseded the President has been endeavouring his best in all ways to make it appear that we are not co-operating with him. The facts are just the contrary. Simply because of the faults and mistakes committed by the President it cannot be said by any stretch of imagination that the entire board is not competent to perform the duties imposed on it by law. We are in a majority. If the President is removed as per your original notice which is really just and in accordance with law and fresh elections held for the Presidentship the administration would go on smoothly as it had been going on since the very constitution of the board.

In conclusion we beg to submit that Kapileswarapuram, a village teeming with 5,000 population with a lower secondary school and other schools and probably being the biggest village in the entire

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taluk, should not be treated in this manner. The case is really for the removal of the President and not for the supersession of the board. We therefore submit that the President may be removed from office and fresh elections may be held for the office of the President without superseding the panchayat board.

Copy submitted to the Inspector of Municipal Councils and Local Boards.

IV

Proceedings of the Bezwada District Board passed at the ordinary meeting held in the District Board office building at Bezwada on Friday, the 12th August 1938, at 9 a.m.

Read G.O. Ms. No. 1839, dated 19th May 1938, calling upon the Kapileswarapuram Panchayat Board and the Bezwada District Board to show cause why the Kapileswarapuram Panchayat Board should not be dissolved and reconstituted.

District Board Resolution No. 306, *dated 12th August* 1938.—May be dissolved and reconstituted.

V. R. A. Rao,
President, District Board, Bezwada.

V

Proceedings of the District Board, Bezwada, passed at the meeting held in the District Board office building at Bezwada on Monday, the 8th October 1938 at 3 p.m.

Read D.B.R. No. 306, dated 12th August 1938, resolving that the Panchayat Board, Kapileswarapuram, may be dissolved and reconstituted as called upon by the Government in their Order Ms. No. 1839, dated 19th May 1938.

Also the Government's Order Ms. No. 3420, dated 1st September 1938, directing to show cause as to why the said panchayat board should not be superseded and requesting to submit the replies through the Inspector of Municipal Councils and Local Boards.

District Board Resolution No. 531, *dated 8th October* 1938.—It is very regrettable that Government should issue three different notices on three different occasions, one for the removal of the President, the second for dissolution and reconstitution and the third for supersession. From the above, the Board is of opinion that supersession is not in the interests of the local self-governing

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institutions, and is a negation to all principles of democracy for which the Government stands and protests against supersession.

Proposed by M.R.Ry. A. Gopalakrishnayya Garu, seconded by M.R.Ry. Ch. Parthasarathi Garu alias Muppalla Babu Garu.

Opposed by M.R.Ry. T. Venkateswara Rao Garu, seconded by M.R.Ry. V. Kurmayya Garu.

For 11. *Against* 4.

Srimati Sri Rajeswaramma Garu—neutral.

V. R. A. Rao,
*President, District Board, **Bezwada.***

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS

Appendix VI.

[Vide answer to starred question No. 115 asked by Sri Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 14th December 1938. page 204 supra.]

Statement No. I.

Serial number and name of college.	Number of students who applied for admission during 1938–39.							Number of students admitted during 1938–39.						
	Brahmans.	Non-Brahmans.	Christians.	Muhammadans.	Backward and Scheduled Classes.	Others.	Total.	Brahmans.	Non-Brahmans.	Christians.	Muhammadans.	Backward and Scheduled Classes.	Others.	Total.
1 Government Arts College, Rajahmundry	162	10	1	5	46	..	224	111	6	1	5	42	..	165
2 Ceded Districts College, Anantapur	94	6	4	19	105	..	228	69	4	2	17	83	..	175
3 Presidency College, Madras	400	253	81	49	..	..	783	195	162	29	27	..	..	413
4 Government College, Kumbakonam ..	75	13	5	1	16	..	110	74	13	5	1	15	..	108
5 Government Victoria College, Palghat ..	71	76	3	6	..	..	156	68	69	3	5	..	..	145
6 Government College, Coimbatore	54	75	17	5	..	..	151	45	66	14	5	..	..	130
7 Government Brennen College, Tellicherry ..	8	52	4	13	1	..	78	8	50	4	10	1	..	73
8 Government College, Mangalore	45	19	9	5	9	1	88	45	19	9	5	9	1	88
9 Law College, Madras ..	..	..	..	..	..	..	431 *	190	149	25	17	..	..	381
10 Government Training College, Rajahmundry.	213	53	19	8	3	1	297	73	24	9	3	1	1	111
11 Teachers' College, Saidapet	184	80	37	19	4	3	327	97	53	30	15	3	2	200
12 College of Engineering, Guindy	319	161	34	10	..	3	527	89	70	15	4	..	2	180

* This figure represents the number of candidates who registered their applications. But the number that actually turned up for admission was only 381 and all of them were admitted. Separate figures regarding number of applicants from various communities are not available as no such details are furnished with the application.